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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN LEWIS, GRACE DANBOISE, DAVID JOHNSON, ROSEMARIE SCHULTZ, and AARON WRENCH,
Plaintiffs,

v.

LOWE'S HOME CENTERS, LLC and LOWE'S HOME CENTERS, INC.,
Defendants.

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ORDER

16 CV 361 (VB)

On September 29, 2016, the parties in this Fair Labor Standards Act case filed a joint Motion to Approve Individual Settlement Agreements (Doc. #22), consisting of a detailed memorandum explaining the agreements, and attaching the proposed settlement agreements themselves, for approval by the Court as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

Having considered (i) the parties' position as to the proper valuation of plaintiff's claims; (ii) the risks and costs of continuing to litigate; (iii) the fact that plaintiffs are represented by counsel; (iv) the fact that three of the four plaintiffs no longer work for defendant; (v) the fact that the fourth plaintiff who continues to work for defendant has "certifie[d] as part of his agreement that after Lowe's promulgated a new job description in May, 2014, he has performed duties that require the use of independent judgment and discretion . . . the main criterion for the administrative exemption" to the FLSA, (Motion at 13); and (vi) the fact that plaintiffs are each receiving between 27.65 and 38.7% of their claimed damages plus attorney's fees, and the amount of "had no bearing on the amount paid to Plaintiffs," (Motion at 14); the Court finds that the settlements are fair and reasonable, and the product of arm's-length negotiation, not fraud or collusion. Moreover, the Court finds the attorneys' fees to be fair and reasonable under the circumstances.

Accordingly, the parties' settlement agreements (Doc. #22, Exh. 1) are hereby APPROVED.

The Clerk is instructed to terminate the motion (Doc. #22) and close this case.

Dated: October 6, 2016
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge